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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/510,882	10/08/2004	Richard Breuer	DE 020087	6337
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EXAMINER ARMSTRONG, ANGELA A				
ART UNIT		PAPER NUMBER		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/510,882

Applicant(s)

BREUER, RICHARD

Examiner

ANGELA A. ARMSTRONG

Art Unit

2626

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 January 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-6, 11 and 16 is/are allowed.
- 6) ☒ Claim(s) 7-9, 12, 14, 15 and 17-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB-08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

This Office Action is in response to the amendment filed January 2, 2009, amending claims 1, 3-4, 6-8, 10-12, and 14-15, and adding new claims 16-20.

Specification

1. Claims 10 and 13 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim should refer to other claims in the alternative only. See MPEP § 608.01(n). Accordingly, the claims have not been further treated on the merits.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 14-15 and 18-20 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Upon review of the specification, the limitations for "A computer readable storage medium encoded with computer executable instructions, the computer executable instructions, when executed by a processor cause the process to perform the following steps," as recited in the claims, are not disclosed or described within the specification.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 7-9, 12 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gamm in view of Hon et al (US Patent No. 5,852,801).
6. Regarding claim 7, Gamm discloses a method of speech recognition of symbol sequences, in which initially a spoken and recognized first symbol sequence is output for verification by a user by means of a speech output device (col. 4 lines 9-15) and when the first symbol sequence is recognized erroneously, a spoken second symbol sequence (col. 4, lines 63-64) is compared with the first symbol sequence: a sub-symbol sequence of the first symbol sequence being determined that partly matches the second symbol sequence and has the lowest number and/or a predetermined number of deviations from the second symbol sequence (col. 4, lines 16-90; col. 5, line 9 to col. 7, line 3), and, finally, the first symbol sequence in the section of the sub-symbol sequence is corrected on the basis of the second symbol sequence. Gamm does not teach determining an initial set of corrected versions of the first symbol sequence, wherein the initial set of corrected versions comprises a plurality of alternatives of corrected versions of the first symbol sequence that are output to the user for verification purposes. Hon teaches a method and apparatus for reducing recognition errors which displays an alternative list of N-best words for correcting recognized input (col. 8, lines 8-18). It would have been obvious to one of ordinary skill at the time of the invention to modify the system of Gamm to implement

displaying an alternative list of words for use in correcting recognition errors, as was well known in the art, for the purpose of allowing the user to correct errors without having to repeatedly provide the input or desired words.

7. Regarding claim 8, the combination of Gamm and Hon teaches a maximum number of alternative corrections via the N-best alternative list.

8. Regarding claim 9, the combination of Gamm and Hon teach corrected versions of the first symbol sequence in which the number of deviations from the initially recognized first symbol sequence is situated below a maximum value, are determined and output (col. 4, lines 16-90 and col. 5, line 9 to col. 6, line 15-- the system checks for differences in sequence lengths and positions).

9. Regarding claim 12, Gamm discloses a system of speech recognition of symbol sequences, comprising a speech recognition device in which initially a spoken and recognized first symbol sequence is output for verification by a user by means of a speech output device (col. 4 lines 9-15) and when the first symbol sequence is recognized erroneously, the second recognized sequence (col. 4, lines 63-64) is compared with the first symbol sequence: a sub-symbol sequence of the first symbol sequence being determined that partly matches the second symbol sequence and has the lowest number and/or a predetermined number of deviations from the second symbol sequence (col. 4, lines 16-90; col. 5, line 9 to col. 7, line 3), and, finally, the first symbol sequence in the section of the sub-symbol sequence is corrected on the basis of the second symbol sequence. Gamm does not teach determining an initial set of corrected versions of the first symbol sequence, wherein the initial set of corrected versions comprises a plurality of alternatives of corrected versions of the first symbol sequence that are output to the user for

verification purposes. Hon teaches a method and apparatus for reducing recognition errors which displays an alternative list of N-best words for correcting recognized input (col. 8, lines 8-18). It would have been obvious to one of ordinary skill at the time of the invention to modify the system of Gamm to implement displaying an alternative list of words for use in correcting recognition errors, as was well known in the art, for the purpose of allowing the user to correct errors without having to repeatedly provide the input or desired words.

10. Regarding claim 17, neither Gamm nor Hon teach outputting the initial set of corrected versions of the first symbol sequence to the user for verification occurs after the second symbol sequence is spoken without further user interaction. However, automatically providing alternatives for correction selection was well known in the art of speech recognition processing, and it would have been obvious to one of ordinary skill at the time of the invention to present the alternative list to the user without further user interaction, as was well known in the art, for the purpose of allowing the user to correct errors without having to repeatedly provide the input or desired words.

Response to Arguments

11. Applicant's arguments filed January 2, 2009, with respect to claims 7-9 and 12 have been fully considered but they are not persuasive. Applicant argues the combination of Gamm and Hon fails to teach determining an initial set of corrected versions of the first symbol sequence, wherein the initial set of corrected versions comprises a plurality of alternatives of corrected versions of the first symbol sequence. The Examiner cannot concur. Hon specifically teaches displaying an alternative list of N-best words for correcting recognized input. Although the op

choice is displayed the first time, that first choice is part of the initial set and is displayed for the user and if it is not selected, additional alternatives are displayed for selection. Thus, the initial set of alternatives is displayed to the user for selection of the desired input, and the combination of Gamm and Hon provide adequate support for the claim limitation.

Allowable Subject Matter

12. Claims 1-6, 11 and 16 are allowed.
13. The following is a statement of reasons for the indication of allowable subject matter: the closet prior art (Gamm) fails to teach comparing the second symbol sequence with such sub-symbol sequences of the first symbol sequence that are a number of symbols longer than the second symbol sequence; comparing the second symbol sequence with such sub-symbol sequences of the first symbol sequence that are a number of symbols shorter than the second symbol sequence; and determining a correcting sub-symbol sequence based on the comparisons..

Conclusion

14. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANGELA A. ARMSTRONG whose telephone number is (571)272-7598. The examiner can normally be reached on Monday-Thursday 11:30-8:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on 571-272-7602. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Angela A Armstrong/
Primary Examiner, Art Unit 2626